

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DAMON WILBERT,

Petitioner,

v.

ORDER

Civil File No. 21-1645 (MJD/HB)

B. BIRKHOLZ and
MICHAEL CARVAJAL,

Respondents.

Damon Wilbert, pro se.

Ana H. Voss and Kristen Elise Rau, Assistant United States Attorneys, Counsel
for Respondents.

The above-entitled matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Hildy Bowbeer dated
August 30, 2021. No objections having been filed to the Report and
Recommendation in the time period permitted, and after an independent review
of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY
ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States
Magistrate Judge Hildy Bowbeer dated August 30, 2021 [Docket No. 6].

2. This action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 21, 2021

s/Michael J. Davis

Michael J. Davis

United States District Court